

REMARKS

In the final Office Action of April 30, 2010, claims 1, 3-8, 11-27, and 30 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Publication No. 2008/0126327 to Dettinger et al. ("the Dettinger reference"); claims 6-7 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over the Dettinger reference in view of U.S. Patent No. 6,397,217 to Melbin ("the Melbin reference"); claims 9-10 and 28-29 stand objected-to for depending from a rejected base claims; and claim 31 stands allowed. In this Amendment in Reply, Applicants amend claims 1, 9, 22-23, 28, and 30; and cancel claims 10, 29, and 32. Claims 1, 3-9, 11-23, 25-28, and 30-31 remain pending.

Without conceding the merits of those rejections, Applicants herein amend independent claims 1 and 23 to incorporate the subject matter of dependent claims 10 and 29, respectively, which the Examiner indicates as being allowable if rewritten in independent form. (*See* Office Action at p. 9). Additionally, claims 9 and 28, which the Examiner also indicates as being allowable if rewritten in independent form, are amended into independent form.

Applicants submit that each of the pending independent claims 1, 9, 23, 28, and 31, and their dependent claims, are in condition for allowance and respectfully request the Examiner issue a notice of allowance.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant : Tucker et al.
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Respectfully submitted,

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